



Packet No.: PF-0595 USN

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By: *[Signature]*

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LYZA FINULLAR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN CHAPERONE PROTEINS

Serial No.: 09/787,678

Filing Date:

To Be Assigned

Examiner: To Be Assigned

Group Art Unit:

To Be Assigned

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Commissioner for Patents

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Arlington, VA 22202

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

REQUEST FOR CORRECTED PRIORITY

Sir:

In response to the "Notification of Defective Response" mailed by the United States Patent and Trademark Office on September 20, 2002 (copy attached), Applicants submit the items listed below to complete the filing for the above-identified patent application.

1. Substitute Submission Under 37 CFR 1.821-1.825 Sequence Listing (1 pg.);
2. One (1) substitute CRF diskette containing the Substitute Sequence Listing; and
3. Paper copy of the Substitute Sequence Listing (20 pp.).

Applicants submit this amendment to request entry of the enclosed paper copy of the Substitute Sequence Listing into the above-identified U.S. national phase patent application.

Applicants note the following corrections that have been made to the Substitute Sequence Listing:

- Listing the priority documents one document at a time
- Replacing “unassigned” for the provisional serial number for priority documents originally filed as U.S. “regular” applications under 35 U.S.C. §1.111 with the provisional serial numbers assigned after the filing of Petitions to Convert the U.S. regular applications into provisional applications; the provisional serial numbers were not received until after the PCT application was filed.
- Miscellaneous procedural corrections to the identifiers for the sequences.

Applicants note that during Chapter I of the PCT application, Applicants attempted to correct the “unassigned” provisional information for the applications. However, due to delays at the USPTO, Applicants did not received the filing receipt for the two of the converted provisional applications to which priority is claimed in the PCT application, including the serial number information, until AFTER the final due date of the Submission of Priority Claims in the International Application, which response was filed on February 9, 2000. In an attempt to comply with the requirement to submit the corrected serial numbers, Applicants called the USPTO and spoke with Betty L. Robinson; Ms. Robinson recited over the phone what she claimed was the recently-issued serial number for the provisional application converted from USSN 09/158,642, filed September 22, 1998. When Applicants finally received the filing receipt for this provisional application, it was discovered that Ms. Robinson had given a completely incorrect number. However, by this time, it was too late to correct this error in the PCT application. The incorrect information which is on the PCT application is the reference to USSN 60/172,221; the correct information should be 60/183,022.

Note that the other provisional application information for the converted provisional application corresponding to USSN 09/233,291, filed January 19, 1999, was not received until much later, and thus the PCT application still references that provisional application serial number as “unassigned.” The correct provisional application number for this priority document is 60/172,216.

When the U.S. National Stage application was filed, the serial number information was forwarded via the bibliographic (first) page of the PCT published application, in sections (30) and (63). Information regarding the two application priority numbers are clearly incorrect and/or incomplete. Applicants now request that the priority information for the instant application be corrected in accordance with the attached Substitute Sequence Listing.

The Applicants believe that no fee is due with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: October 21, 2002

Susan K. Sather
Susan K. Sather
Reg. No. 44,316
Direct Dial Telephone: (650) 845-4646

3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886